

## Laws that authorise police officers to request or require a person to provide their identification particulars

Information to support the Issues Paper relating to the Law Enforcement (Powers and Responsibilities) Act 2002 (LEPRA) Part 3, Division 4: Removal of face coverings for identification purposes.

This table is based on a list of offences presented by The Hon. Paul Lynch MP during Parliamentary debate<sup>1</sup> about Part 3, Division 4 of LEPRA. While we have added some provisions to those discussed by The Hon. Mr Lynch, the table is not intended to be an exhaustive list of all of the circumstances where NSW police officers could lawfully request or require a person to provide identification particulars.

Legislation	Police powers to request/require identity	Offence provisions – failure to comply	Description of offence	Number of sentences imposed by the courts for offence **	Types of sentences imposed by the courts ***
<b>Animal Diseases (Emergency Outbreaks) Act 1991</b>	Section 43(1)(b) – An Inspector (incl. a police officer) can require a person to provide their name and place of residence for the purpose of controlling, eradicating or preventing the spread of an emergency animal disease.	Section 44(1)	Refuse/fail to answer question/furnish record/document	0	n/a
		Section 44(3)	Furnish false, misleading answer, record or document	0	n/a
<b>Casino Control Act 1992</b>	Section 96(1) – A police officer may require person who they suspect to be a minor in a casino to state their correct age, name and address and provide relevant proof.	Section 96(2)	Fail to state name/age/address or produce proof of same	0	n/a
<b>Casino Control Regulation 2009</b>	Schedule 6, clause 128(1)* – Applied provisions of the Liquor Act 2007 – An authorised person (incl. a police officer) may require a person to state their full name, residential address and date of birth and produce evidence in support of their age, if the officer suspects the person is a minor (and therefore committing an offence under the Liquor Act).	Clause 128(2)	Minor fails to provide information as required	0	n/a
<b>Centennial Park and Moore Park Trust Regulation 2009</b>	Clause 43(1) – An Authorised officer (Incl. a police officer) may require a person to state his or her full name and residential address if they suspect that the person has committed an offence under the regulations.	Clause 43(2)(a)	Fail to comply with a requirement to state name and address	0	n/a
		Clause 43(2)(b)	Furnish false or misleading information	0	n/a

<sup>1</sup> NSWPD, (Hansard), Legislative Assembly, 12 September 2011, p. 5457-5458.

\* Indicates police powers to request identification, in addition to those powers identified by The Hon. Paul Lynch MP in Parliament.

\*\* These figures were obtained from Judicial Information Research System (JIRS), Judicial Commission of NSW, accessed 13 December 2012.

\*\*\* These are the types of penalties that were imposed by the court under the *Crimes (Sentencing Procedure Act) 1999* in relation to each offence.

Legislation	Police powers to request/require identity	Offence provisions – failure to comply	Description of offence	Number of sentences imposed by the courts for offence **	Types of sentences imposed by the courts ***
<b>Child Protection (Offender Registration) Act 2000</b>  <b>Note:</b> Offences under these provisions are not limited to ID offences.	Section 12D – A registrable person who reports in person to police must provide two identification documents (eg. driver licence and passport) and two identification documents of the person accompanying them/acting on their behalf, if relevant.  Section 12E* – A police officer who receives a report from a registrable person (in person) may require them to provide their fingerprints, if the officer is not reasonably satisfied of the person’s identity, etc.  Section 12F(1)* – A police officer who receives a report from a registrable person (in person) may require them to be photographed.	Section 17(1)	Fail to comply with reporting obligations (incl. T2)	447	s 10 dismissal – 13 s 10 bond – 9 s 10A – 18 rise of Court – 1 fine only – 93 (variable) s 9 bond – 111 s 9 supervision – 39 CSO – 4 suspended sentence – 22 prison – 106
		Section 18	Provide false/misleading information re registration (incl. T2)	4	fine only – 2 s 9 bond – 1 s 9 supervision – 1
		Section 18	Provide false/misleading information re registration (incl. T2)	4	fine only – 2 s 9 bond – 1 s 9 supervision – 1
<b>Combat Sports Regulation 2009</b>	Clause 35(1) – Combatant at a weigh in for a professional combat sport contest, must provide their medical book containing their name and address (and other particulars) to the Combat Sport Inspector (incl. a police officer).	Clause 35(3)	Combatant not produce medical record book at weigh-in	0	n/a
<b>Companion Animals Act 1998</b>	Section 69G(1) – An authorised officer (incl. a police officer) may require a person whom they suspect has committed an offence under the Act to state their full name and address and provide relevant proof.	Section 69G(2)(a)	Fail to state full name/residential address	5	s 10 dismissal – 2 s 10A – 1 fine only – 2 (\$100 & \$300)
		Section 69G(2)(b)	Furnish false name/residential address	0	n/a
<b>Crimes (Criminal Organisations Control) Act 2012</b>	Section 16(6)(a)* – A police officer who has reasonable cause to suspect that a person is a person on whom notice of the making of an interim control order is required to be served, may request the person’s identity.	Section 35A(1)	Fail or refuse to disclose identity at request of police	0	n/a
		Section 35A(2)(a)	Give false name in response to police request	0	n/a

\* Indicates police powers to request identification, in addition to those powers identified by The Hon. Paul Lynch MP in Parliament.

\*\* These figures were obtained from Judicial Information Research System (JIRS), Judicial Commission of NSW, accessed 13 December 2012.

\*\*\* These are the types of penalties that were imposed by the court under the *Crimes (Sentencing Procedure Act) 1999* in relation to each offence.

Legislation	Police powers to request/require identity	Offence provisions – failure to comply	Description of offence	Number of sentences imposed by the courts for offence **	Types of sentences imposed by the courts ***
	<p>Section 26(7A)* – A police officer who has reasonable cause to suspect that a person is a controlled member of a declared organisation who is associating with another controlled member of the declared organisation may request the person to disclose his or her identity.</p> <p>Section 35A – A person who is asked to disclose their identity under 16(6) or 26(7A) must do so and must not provide a name or address that is false.</p>	Section 35A(2)(b)	Give incorrect address in response to police request	0	n/a
<b>Criminal Procedure Act 1986</b>	Section 341(1) – A police officer may request a person’s name and address in order to issue them with a penalty notice under Part 3 (eg larceny > \$300, possession/transfer of stolen/unlawfully obtained item, offensive language, obstructing traffic, unlawfully entering vehicle or boat, or continuing move-on).	Section 341(3)(a)	Fail to comply with request made by police officer	6	s 10 dismissal – 1 fine only – 4 (variable) s 9 bond – 1
		Section 341(3)(b)	State false name to police officer	8	fine only – 8 (variable)
		Section 341(3)(c)	Not state full/correct address to police officer	0	n/a
<b>Crown Lands Act 1989</b>	Section 167(2) – An authorised person (incl. a police officer) may require a person to state their full name and place of residence if they suspect the person is offending the Act, regulations or by-laws.	Section 167(4)(a)	Failure by driver of motor vehicle on public land to state name etc	0	n/a
		Section 167(4)(b)	State incorrect name/place of abode to an authorised person	1	s 10 dismissal – 1
<b>Fines Act 1996</b>	Section 104(1) – A sheriff or other person executing an order or warrant (incl. a police officer) may require a person whom they suspect to be a fine defaulter to state their full name and residential address and to produce proof of their identity.	Section 104(3)	Fail to state name and address to person executing warrant	0	n/a

\* Indicates police powers to request identification, in addition to those powers identified by The Hon. Paul Lynch MP in Parliament.

\*\* These figures were obtained from Judicial Information Research System (JIRS), Judicial Commission of NSW, accessed 13 December 2012.

\*\*\* These are the types of penalties that were imposed by the court under the *Crimes (Sentencing Procedure Act) 1999* in relation to each offence.

Legislation	Police powers to request/require identity	Offence provisions – failure to comply	Description of offence	Number of sentences imposed by the courts for offence **	Types of sentences imposed by the courts ***
<b>Fisheries Management Act 1994</b>	Section 258 – A fisheries officer (incl. a police officer) may require a driver of a boat to provide information about the boat or crew and may require anyone on board the boat to provide their name and address etc. A person must not provide false information in response to this or any other request made by the officer.	Section 258(2)	Fail to comply with requirement to provide information	0	n/a
		Section 259	Provide false/misleading statement or information re: Pt 9 requirement	7	s 10 dismissal – 1 fine only – 6 (variable)
<b>Forestry Act 1916</b>	Section 38A(2) – An authorised person (incl. a police officer) may require a person whom they suspect to be offending this Act or the regulations to state their full name and place of abode.	Section 38A(4)(a)	Refuse/fail to comply with requirement under ss (2), (3) (ie fail to provide driver licence, name or place of abode).	1	fine only – 1 (\$750)
		Section 38A(4)(b)	State false name &/or address in answer to required question	0	n/a
<b>Game and Feral Animal Control Act 2002</b>	Section 47(1) – An inspector (incl. a police officer) may require a person whom they suspect has committed a game hunting offence to state their full name and residential address and provide their hunting licence.	Section 50(a)	Refuse/fail to answer question/comply with requirement	0	n/a
		Section 50(b)	Give false/misleading information/evidence/document	0	n/a
<b>Gaming and Liquor Administration Act 2007</b> (formerly the Casino, Liquor and Gaming Control Authority Act 2007)	Section 31 – An officer may require a person whom they suspect has or is offending against the gaming and liquor legislation to state his or her full name and address and provide relevant proof.	Section 34(1)	Refuse or fail to comply with requirement under this Part	3	fine only – 3
		Section 34(2)	Furnish false or misleading information	1	fine only – 1
<b>Gaming Machines Act 2001</b>	Section 53(1) – An authorised person (incl. a police officer) may require a person who they reasonably suspect to be a minor to state their full name and residential address and provide evidence of their age.	Section 53(2)(a)	Minor refuses/fails to state name and address	0	n/a
		Section 53(2)(b)	Minor refuses/fails to produce evidence of age	0	n/a

\* Indicates police powers to request identification, in addition to those powers identified by The Hon. Paul Lynch MP in Parliament.

\*\* These figures were obtained from Judicial Information Research System (JIRS), Judicial Commission of NSW, accessed 13 December 2012.

\*\*\* These are the types of penalties that were imposed by the court under the *Crimes (Sentencing Procedure Act) 1999* in relation to each offence.

Legislation	Police powers to request/require identity	Offence provisions – failure to comply	Description of offence	Number of sentences imposed by the courts for offence **	Types of sentences imposed by the courts ***
<b>Law Enforcement (Powers and Responsibilities) Act 2002</b>  <b>Note:</b> under section 3 of LEPRA identity means the name or residential address of a person (or both).	Section 11(1) – A police officer may request a person’s identity if the person is unknown to the officer and the officer suspects on reasonable grounds that they can assist in the investigation of an indictable offence.	Section 12	Fail/refuse to disclose identity on request	5	s 10 dismissal – 1 fine only – 4 (variable)
	Section 11(2) – A police officer may request a person’s identity if the person is unknown to the officer and the officer proposes to issue them with a direction under Part 14 (eg. a move-on direction).	Section 13(a)	Give a false name	47	s 10 dismissal – 4 s 10 bond – 2 s 10A – 3 rise of court – 1 fine only – 36 (variable) s 9 bond – 1 (12 months)
		Section 13(b)	Fail to give full and correct address	0	n/a
	Section 13A* – A police officer may request a person’s identity if the person is unknown to the officer and the officer suspects on reasonable grounds that an AVO has been made against them.	Section 13B	Fail/refuse to disclose identity on request - AVO suspect	0	n/a
		Section 13C	Suspected AVO defendant give a false name/address	0	n/a
	Section 14(1)(a)* – A police officer who suspects on reasonable grounds that a vehicle is being, was or may have been used in or in connection with an indictable offence, may ask the driver to disclose his or her identity or the identity of any other passengers in or on the vehicle.	Section 15(1)	Driver fails/refuses to disclose his/her identity	3	s 10 bond – 2 fine only – 1 (\$200)
	Section 14(1)(b)* – A police officer who suspects on reasonable grounds that a vehicle is being, was or may have been used in or in connection with an indictable offence, may ask any passenger to disclose his or her identity or the identity of any other passengers in or on the vehicle.  Section 19* – A police officer who requests a person’s identity under this part may request proof of his or her identity.	Section 15(2)	Driver not disclose identity of driver/passenger on request	42	s 10 dismissal – 3 s 10 bond – 3 s 10A – 1 rise of the court – 1 fine only – 26 (variable) s 9 bond – 4 (variable) s 9 supervision – 2 suspended supervision – 1

\* Indicates police powers to request identification, in addition to those powers identified by The Hon. Paul Lynch MP in Parliament.

\*\* These figures were obtained from Judicial Information Research System (JIRS), Judicial Commission of NSW, accessed 13 December 2012.

\*\*\* These are the types of penalties that were imposed by the court under the *Crimes (Sentencing Procedure Act) 1999* in relation to each offence.

Legislation	Police powers to request/require identity	Offence provisions – failure to comply	Description of offence	Number of sentences imposed by the courts for offence **	Types of sentences imposed by the courts ***
		Section 16(1)	Passenger fail/refuse to disclose his/her identity	0	n/a
		Section 16(2)	Passenger not disclose driver's/other passenger's identity	12	s 10 bond – 1 s10A – 3 fine only – 8 (variable)
		Section 18(a)	Give false name	10	s 10 dismissal – 1 s 10 bond – 1 (36 mnts) fine only – 7 s 9 supervision – 1
		Section 18(b)	Give false/misleading address information	4	fine only – 4 (\$200, \$500)
	Section 87L(1)* – A police officer may request a person's ID (including their name and address and proof thereof) if the person is unknown to the officer and is in a target area or on a target road and the officer suspects that they have been involved or is likely to be involved in a public disorder.  Section 87L(4)* – A police officer who requests a person's identity under this section may request proof of his or her identity.	Section 87L(2)	Fail/refuse to disclose identity on request in target area	0	n/a
		Section 87L(3)(a)	Give false name on request in target area	0	n/a
		Section 87L(3)(b)	Give incorrect address on request in target area	0	n/a
	Section 133 (1) and (2) * – A police officer may take or cause to be taken all particulars that are necessary to identify a person who is in lawful custody for any offence including the person's photograph, finger-prints and palm-prints if he or she is over the age of 14 years.	n/a	n/a	n/a	n/a

\* Indicates police powers to request identification, in addition to those powers identified by The Hon. Paul Lynch MP in Parliament.

\*\* These figures were obtained from Judicial Information Research System (JIRS), Judicial Commission of NSW, accessed 13 December 2012.

\*\*\* These are the types of penalties that were imposed by the court under the *Crimes (Sentencing Procedure Act) 1999* in relation to each offence.

Legislation	Police powers to request/require identity	Offence provisions – failure to comply	Description of offence	Number of sentences imposed by the courts for offence **	Types of sentences imposed by the courts ***
	Section 134(1) and (2)* – A court can make an order requiring a person (incl. a child under 14 years see s 136) to provide their identification particulars, including a photograph, finger-prints and palm-prints to an officer in charge of a police station, if the person is found to have committed an offence to which this section applies.	n/a	n/a	n/a	n/a
	Section 138A(1)* – A police officer who serves a penalty notice (or criminal infringement notice) on a person under the Criminal Procedure Act 1986 may require the person to submit to having his or her finger-prints or palm-prints, or both, taken and may, with the person’s consent, take the person’s finger-prints or palm-prints, or both.	n/a	n/a	n/a	n/a
	Section 138B(1)* – A police officer who serves a court attendance notice personally on a person who is not in lawful custody for an offence may require the person to submit to having his or her finger-prints or palm-prints, or both, taken and may, with the person’s consent, take the person’s finger-prints or palm-prints, or both.	n/a	n/a	n/a	n/a
	Section 142(1)(e)* – A police officer who executes a search warrant in accordance with a drug premises may request any person on the premises to provide his or her identity.	Section 143(2)	Not disclose identity to police on request - drug premises	0	n/a
		Section 143(3)(a)	Give false name to police officer - drug premises	2	fine only – 1 (\$200) s 9 bond – 1 (10 mnths)
		Section 143(3)(b)	Give other than full/correct address - drug premises	0	n/a
	<b>Local Government Act 1993</b>	Section 680(1)(a) – An authorised person (incl. a police officer) may demand a person’s name and residential address if they suspect the person of committing an offence under the Act - in a public place, or of an offence under s 224 Protection of the Environment Operations Act 1997.	Section 680(5)(a)	Refuse to state name or address upon demand under section	0
Section 680(5)(b)			State false name or address upon demand under section	0	n/a

\* Indicates police powers to request identification, in addition to those powers identified by The Hon. Paul Lynch MP in Parliament.

\*\* These figures were obtained from Judicial Information Research System (JIRS), Judicial Commission of NSW, accessed 13 December 2012.

\*\*\* These are the types of penalties that were imposed by the court under the *Crimes (Sentencing Procedure Act) 1999* in relation to each offence.



Legislation	Police powers to request/require identity	Offence provisions – failure to comply	Description of offence	Number of sentences imposed by the courts for offence **	Types of sentences imposed by the courts ***
<b>Management of Waters and Waterside Lands Regulation 1972</b>	Clause 104(3)(a) – An authorised person (incl. a member of police force) may require a person located in or in an area surrounding a shipping wharf to state, and verify (by documentation) their name and address and provide various other particulars (see Act).	Section 104(3)(a)	Fail to state and verify name and address as required	0	n/a
<b>Marine Safety Act 1998</b>	Section 98(2) – A master of a vessel involved in a marine accident must produce their marine safety licence and give particulars of their name and place of residence to any person (incl. a police officer) having reasonable grounds for requesting it.	Section 102(a)	Fail to comply requirements relating to accident reporting	0	n/a
		Section 102(b)	Furnish false/misleading info relating to accident reporting	0	n/a
	Section 119 – A holder of a boat licence is required to carry a licence when doing anything that requires a licence and must provide this licence when requested by an authorised person (incl. a police officer).	Section 125(2)	Refuse/not comply with requirement of investigative powers	8	fine only – 8 (variable)
	Section 120 – An authorised officer may require a person to state their full name and residential address if they suspect the person has committed an offence under the marine legislation.	Section 125(3)	Give false/misleading statement under investigative powers	0	n/a
	Section 121 – An authorised officer may require information about the owner or master of a vessel including information about their identity and address for the purpose of an investigation under this section. They may also request a written with such information.				
	Schedule 1, clause 23 – An authorised officer (incl. a police officer) may require a person to state their name and residential address if the officer suspects they have/are committing an offence under the Act or regulations have information about an offence committed under the Act or regulations that relates to drugs and alcohol (eg driving a vessel while intoxicated).	Schedule 1, Clause 23(2)(a)	Fail/refuse to comply with requirement under clause	0	n/a
Schedule 1, Clause 23(2)(c)		State false name or address	0	n/a	

\* Indicates police powers to request identification, in addition to those powers identified by The Hon. Paul Lynch MP in Parliament.

\*\* These figures were obtained from Judicial Information Research System (JIRS), Judicial Commission of NSW, accessed 13 December 2012.

\*\*\* These are the types of penalties that were imposed by the court under the *Crimes (Sentencing Procedure Act) 1999* in relation to each offence.



Legislation	Police powers to request/require identity	Offence provisions – failure to comply	Description of offence	Number of sentences imposed by the courts for offence **	Types of sentences imposed by the courts ***
<b>National Parks and Wildlife Act 1974</b>	Section 157 – An authorised person or Officer of the Service (incl. a police officer) may require a person to state their full name, residential address and driver's licence if they suspect them of committing an offence under this Act or the regulations (note: s 19).	Section 157(3)(a)	Fail to comply with requirement to produce driver licence or comply with requirement to state name and address	0	n/a
		Section 157(3)(b)	State false name/place of abode in purported compliance	0	n/a
<b>Parliamentary Precincts Act 1997</b>	Section 19(3) – An authorised officer (incl. a police officer) may require a person to give their name and address if the person violated a direction under s 18(1) or a direction to leave a Parliamentary precinct and not return.	Section 19(4)(a)	Fail to give name or address to authorised officer ss.(3) (ie fail to provide name and address)	0	n/a
		Section 19(4)(b)	Give false/misleading name or address to officer ss.(3) (ie fail to provide name and address)	0	n/a
<b>Parramatta Park Trust Act 2001</b>	Section 27(1) and (2) – An authorised officer (incl. a police officer) may require a person to state their full name and residential address and may require them to provide their driver's licence if they are driving on trust lands and are suspected of committing an offence under the Act or the regulations.	Section 27(3)(a)	Not produce licence or state name/address	1	fine only – 1 (\$100)
		Section 27(3)(b)	State false name/address	0	n/a
<b>Passenger Transport Act 1990</b>	Section 55 (1) – An authorised officer (incl. a police officer) may require a person to state their full name and residential address if the officer reasonably suspects the person has or is committing an offence against this Act or the regulations.	Section 55(2)(a)	Not state name or address to an authorised officer	0	n/a
		Section 55(2)(b)	State incorrect name or address to an authorised officer	1	fine only – 1 (\$100)
<b>Photo Card Act 2005</b>	Section 28(1) – An authorised officer (incl. a police officer) may direct a person who is in possession of a Photo Card to produce the Photo Card where the officer suspects the person is using it in a false and misleading way.	Section 28(2)	Fail to comply with direction to produce Photo Card	0	n/a

\* Indicates police powers to request identification, in addition to those powers identified by The Hon. Paul Lynch MP in Parliament.

\*\* These figures were obtained from Judicial Information Research System (JIRS), Judicial Commission of NSW, accessed 13 December 2012.

\*\*\* These are the types of penalties that were imposed by the court under the *Crimes (Sentencing Procedure Act) 1999* in relation to each offence.

Legislation	Police powers to request/require identity	Offence provisions – failure to comply	Description of offence	Number of sentences imposed by the courts for offence **	Types of sentences imposed by the courts ***
<b>Prevention of Cruelty to Animals Act 1979</b>	Section 24A(1) – An officer (incl. a police officer) may require a person to provide their full name and home address if the officer suspects they are committing (or attempting to commit) an offence under the Act or the regulations.	Section 24A(2)	Fail to comply with requirement under subsection (1) (ie to provide name and address)	0	n/a
<b>Rail Safety Act 2008</b>	Section 104(1) – A rail safety officer (incl. a police officer) may direct a person to state their name and residential or business address (and proof thereof) if the person is suspected of having information about (or is caught committing) an offence a rail safety law or the Graffiti Control Act 2008. An officer may also make this request of a person carrying out railway operations if they consider the info to be necessary for the purposes of the Act or regulations. (note: s43 RS Regulations)	Section 105	Fail to state name and address when directed	36	s 10 dismissal – 9 s 10 bond – 2 s 10A – 1 fine only – 24 (variable)
<b>Recreation Vehicles Act 1983</b>	Section 33(1)(b)(ii) – An authorised officer (incl. a police officer) may require the driver of a recreation vehicle that is being driven in a designated recreation vehicle area or upon restricted land to provide their name and address.	Section 33(1)	Not comply with direction given by authorised officer	0	n/a
<b>Registered Clubs Act 1976</b>	Section 67(3) – A police officer may demand from any person who enters or is on the premises of any registered club and who he/she suspects on reasonable grounds is not a member of the club, a minor who is the guest of a member, or a guest of a member of the club to provide their correct name and address.	Section 67(6)(a)	Fail to state particulars to committee member, on demand	0	n/a
	Section 67(5) – A police officer who makes a demand under ss.3 can require a person to provide proof of their name and address, if the officer suspects that the information they have provided is false.	Section 67(6)(a)	Fail to state particulars to committee member, on demand	0	n/a

\* Indicates police powers to request identification, in addition to those powers identified by The Hon. Paul Lynch MP in Parliament.

\*\* These figures were obtained from Judicial Information Research System (JIRS), Judicial Commission of NSW, accessed 13 December 2012.

\*\*\* These are the types of penalties that were imposed by the court under the *Crimes (Sentencing Procedure Act) 1999* in relation to each offence.

Legislation	Police powers to request/require identity	Offence provisions – failure to comply	Description of offence	Number of sentences imposed by the courts for offence **	Types of sentences imposed by the courts ***
<b>Road Rules 2008*</b> <b>Note:</b> figures include a driver failing to provide their identification details to other drivers, etc. – not just police	Rule 287(3)* – A driver who is involved in a crash must give their required particulars, within the required time, to a police officer if anyone is killed or injured in the crash, or the driver does not give their required particulars to driver and owner of the other vehicle, the police officer asks for any of the required particulars, etc... (see provision)	Section 287(1)	Not give particulars to police	1146	s 10 dismissal – 172 s 10 bond – 14 s 10A – 29 fine only – 931 (variable)
<b>Road Transport (General) Act 2005</b>	Section 151(1)* – An authorised person (incl. a police officer) may direct a person to provide their personal details (including their full name, home address, and business address) if the officer suspects the person is or may be a responsible person, has committed or is committing an offence against the road law, may be able to assist in the investigation of an offence against the road law, or is or may be involved in an heavy vehicle accident resulting in death or personal injury or damage to property information in relation to a heavy vehicle offence.	Section 151(2)(a)	Contravene s 151 direction to give name/details	0	n/a
		Section 151(2)(b)	Give false/misleading details re s 151 requirement	0	n/a
	Section 171(1) – An authorised officer (incl. a police officer) may require a driver or rider of a vehicle or horse to produce their driver licence, name and address.	Section 171(2)(a)	Driver/rider refuse to produce licence, state name	118	s 10 dismissal – 31 s 10 bond – 2 s 10A – 3 fine only – 82 (variable)
		Section 171(2)(b)	Driver/rider state false name/address	696	s 10 dismissal – 8 s 10 bond – 6 s 10A – 20 fine only – 658 (variable) s 9 bond – 4
Section 172(1)* – A person occupying the seat in/on a motor vehicle (other than a motor cycle) next to a driver who holds a learner licence must, when required to do so by an authorised officer, produce their driver licence and state name and home address.	Section 172(1)	Passenger beside learner driver fails to produce licence	1	fine only – \$200	

\* Indicates police powers to request identification, in addition to those powers identified by The Hon. Paul Lynch MP in Parliament.

\*\* These figures were obtained from Judicial Information Research System (JIRS), Judicial Commission of NSW, accessed 13 December 2012.

\*\*\* These are the types of penalties that were imposed by the court under the *Crimes (Sentencing Procedure Act) 1999* in relation to each offence.

Legislation	Police powers to request/require identity	Offence provisions – failure to comply	Description of offence	Number of sentences imposed by the courts for offence **	Types of sentences imposed by the courts ***
	Section 172(2)* – A person accompanying another person who is attending a motor registry for the purpose of undergoing any test or examination must, on request, produce his or her driver licence and state his or her name and home address if requested by an authorised officer, (incl. a police officer) etc.	Section 172(2)	Instructor at registry fails to produce licence, state name	0	n/a
<b>Road Transport (Vehicle Registration) Act 1997</b>	Section 27B(4) – A police officer may request the driver of a heavy vehicle that causes damage or is dangerously defective on a road or road related area, to produce for inspection their driver licence to drive the vehicle and provide their name and address.	Section 27B(6)(b)	Fail to comply with police/Authority request/signal	1	fine only – \$100
<b>Roads Act 1993</b>	Section 229 – An authorised officer (incl. a police officer) who suspects that a driver of a vehicle has committed an offence against this Act or the regulations, may require the driver to produce his or her driver licence.	Section 229(5)	Fail to comply with authorised officer-produce information	1	fine only – \$200
<b>Rural Fires Act 1997</b>	Section 131A(1) – A police officer who intends to serve a penalty notice on a person under s 131, or has reason to suspect that a person is committing an offence against this Act or the regulations, may direct the person to state the person’s full name and residential address.  Section 131A(4) – An authorised officer or police officer may request that a person who is dealt with under s 131A also provide evidence of the correctness of the name and address if the officer reasonably suspects the stated name or address is false.	Section 131A(2)	Fail to comply with direction re name and address	0	n/a
<b>Rural Lands Protection Act 1998</b>	Section 140G – An authorised officer (incl. a police officer) may request the name and/or residential address of the person in charge of a vehicle that they suspect is being used to transport stock.	Section 140G(3)(a)	Not comply with request for name/particulars	0	n/a
		Section 140G(3)(b)	Give false/misleading name/particulars	0	n/a

\* Indicates police powers to request identification, in addition to those powers identified by The Hon. Paul Lynch MP in Parliament.

\*\* These figures were obtained from Judicial Information Research System (JIRS), Judicial Commission of NSW, accessed 13 December 2012.

\*\*\* These are the types of penalties that were imposed by the court under the *Crimes (Sentencing Procedure Act) 1999* in relation to each offence.

Legislation	Police powers to request/require identity	Offence provisions – failure to comply	Description of offence	Number of sentences imposed by the courts for offence **	Types of sentences imposed by the courts ***
	Section 210* – A person who, having been required under a provision of this Act or the regulations to provide information, fails without reasonable excuse to provide that information is guilty of an offence.	Section 210(1)	Fail to provide information when required to	1	s 10A – 1
		Section 210(2)(a)	Make statement false/misleading in material respect	1	fine only – 1 (\$400)
<b>Sporting Venues (Invasions) Act 2003</b>	Section 10 – An authorised officer (incl. a police officer) may require a person to state their full name and residential address if the officer suspects that the person has committed, or has been involved in the commission of, an offence under Part 2 of the Act, while at the sporting venue.	Section 10(2)(a)	Fail to state name and address when required	0	n/a
		Section 10(2)(b)	Furnish false/misleading name or address	0	n/a
<b>Stock (Chemical Residues) Act 1975*</b>	Section 5(1)(f) * – An inspector (incl. a police officer) may demand from any person they find committing or suspect of committing an offence against the Act or the regulations to provide their name and place of abode.	Section 5(2)(c)	Failure/refusal to state name/address or state false info	0	n/a
<b>Summary Offences Act 1988</b>	Section 11(5A) – A police officer may require a person to state their full name and residential address and produce documentary evidence thereof, if the officer suspects that a person is under 18 and is in possession of or consuming alcohol in a public place (offence under ss 1).	Section 11(5B)(a)	Under age drinker refuse to state name/address to police	0	n/a
		Section 11(5B)(b)	Under age drinker state false name/address to police	0	n/a
		Section 11(5B)(c)	Under age drinker fail to produce evidence of age to police	0	n/a
<b>Sydney Cricket Ground and Sydney Football Stadium By-law</b>	Clause 14(1) – A police officer, member of the trust or authorised person may require a person to state their full name and residential address if they suspect the person has committed an offence against the By-laws while on the Ground.	Clause 14(2)(a)	Fail to provide name and address when requested	0	n/a
		Clause 14(2)(b)	Furnish false or misleading name and address	0	n/a

\* Indicates police powers to request identification, in addition to those powers identified by The Hon. Paul Lynch MP in Parliament.

\*\* These figures were obtained from Judicial Information Research System (JIRS), Judicial Commission of NSW, accessed 13 December 2012.

\*\*\* These are the types of penalties that were imposed by the court under the *Crimes (Sentencing Procedure Act) 1999* in relation to each offence.

Legislation	Police powers to request/require identity	Offence provisions – failure to comply	Description of offence	Number of sentences imposed by the courts for offence **	Types of sentences imposed by the courts ***
<b>Sydney Harbour Foreshore Authority Regulation 2011</b>	Clause 22(1) – A ranger or police officer may require a person to state their full name and residential address if they suspect the person has committed an offence under the regulations while in a public place.	Clause 22(2)(a)	Not state full name and residential address when required to	0	n/a
		Clause 22(2)(b)	Provide false, misleading information re: name, address	0	n/a
<b>Sydney Olympic Park Authority Regulation 2007</b>	Clause 13(1)(e) – A person must not fail to comply with a reasonable request or direction given for the purpose of securing good order and management and enjoyment of Sydney Olympic Park, or any part of Sydney Olympic Park, by an authorised person (incl. a police officer).  Clause 29(1) – Authorised person or a police officer may require a person to state their full name and residential address if they suspect that the person has committed, or been involved in the commission of, an offence against the Act or this Regulation while at the Sydney Olympic Park.	Clause 13(1)(e)	Fail to comply with request/direction by Authority/police	1	fine only – 1 (\$500)
		Clause 29(2)(a)	Fail to comply with requirement to state name & address	0	n/a
		Clause 29(2)(b)	Give false/misleading information re name & address	0	n/a
<b>Sydney Opera House Trust By-law 2010</b>	Clause 13(1) – An authorised officer (incl. a police officer) may require a person to state their full name and residential address if the officer suspects the person is contravening or has contravened any provision of this By-law or is committing or has committed any other offence on the Opera House premises.	Clause 13(2)(a)	Fail to comply with requirement to state name and address	0	n/a
		Clause 13(2)(b)	Furnish false/misleading information re name and address	0	n/a
<b>Terrorism (Police Powers) Act 2002</b>	Section 16(1) – A police officer may request a person whose identity is unknown to the officer to disclose their identity if the officer suspects the person is the target of an authorisation (or the person is found in suspicious circumstances in the company of the target of the authorisation), or the person is in or on a vehicle that the officer suspects on reasonable grounds is the target of an authorisation, or the person is in an area that is the target of an authorisation.	Section 16(2)	Fail to disclose identity on request to do so	0	n/a
		Section 16(3)(a)	Give false name	0	n/a
		Section 16(3)(b)	Give address that is not full and correct address	0	n/a

\* Indicates police powers to request identification, in addition to those powers identified by The Hon. Paul Lynch MP in Parliament.

\*\* These figures were obtained from Judicial Information Research System (JIRS), Judicial Commission of NSW, accessed 13 December 2012.

\*\*\* These are the types of penalties that were imposed by the court under the *Crimes (Sentencing Procedure Act) 1999* in relation to each offence.

Legislation	Police powers to request/require identity	Offence provisions – failure to comply	Description of offence	Number of sentences imposed by the courts for offence **	Types of sentences imposed by the courts ***
	Section 26T – A police officer may request a person whose identity is unknown to the officer to disclose their identity if the officer believes the person may be able to assist the officer in executing a preventative detention order.	Section 26T(2)	Fail/refuse to comply with request to disclose identity	0	n/a
		Section 26T(3)(a)	Give false name to police officer	0	n/a
		Section 26T(3)(b)	Give incorrect address to police officer	0	n/a
<b>Tow Truck Industry Act 1998</b>	Section 79(2) – An authorised officer or a police officer may require a person to state his or her full name and residential address, if the officer suspects the person has committed an offence against the Act or regulations.	Section 85(1)	Neglect/fail to comply with requirement of part 5 division 1	4	fine only – 3 (variable) CSO – 1 (100 hours)
		Section 85(2)	Provide false/misleading information/records	0	n/a
<b>Unlawful Gambling Act 1998</b>	Section 40(2)(e) – An authorised officer, or a police officer, may require a person to state their full name and residential address if the officer suspects the person has contravened, or is contravening, this Act or the regulations.	Section 43(3)	Relevant person fail to give assistance to police officer	0	n/a
<b>Weapons Prohibition Act 1998*</b>	Section 29* – A person to whom a permit (for prohibited weapons) is issued must, on demand made by an authorised officer or police officer provide proof of their identity, and his or her usual place of residence, to the officer.	Section 29(1)(c)	Not provide proof of identity/address to officer	0	n/a
<b>Western Sydney Parklands Regulation 2007</b>	Clause 5 – A ranger or police officer may require a person to state their full name and residential address if they suspect the person has committed an offence against this Regulation while on trust lands.	Clause 5(2)(a)	Fail to comply with requirement to state name and address	0	n/a
		Clause 5(2)(b)	Furnish false or misleading information	0	n/a

\* Indicates police powers to request identification, in addition to those powers identified by The Hon. Paul Lynch MP in Parliament.

\*\* These figures were obtained from Judicial Information Research System (JIRS), Judicial Commission of NSW, accessed 13 December 2012.

\*\*\* These are the types of penalties that were imposed by the court under the *Crimes (Sentencing Procedure Act) 1999* in relation to each offence.